



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 14, 1998

Mr. James R. Raup
McGinnis, Lochridge & Kilgore, L.L.P.
1300 Capitol Center
919 Congress Avenue
Austin, Texas 78701

OR98-0962

Dear Mr. Raup:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 114382.

The Round Rock Independent School District (the "school district"), which you represent, received a request for copies of the audiotapes of two grievance hearings.¹ You contend that the requested tapes are confidential under section 551.104 of the Government Code.

Section 552.101 of the Government Code excepts from disclosure information deemed confidential by law. Section 551.104(c) of the Government Code provides that "[t]he certified agenda or tape of a closed meeting is available for public inspection and copying only under a court order issued under Subsection (b)(3)." Section 551.104(c) deems the certified tape of an executive session confidential. *See* Open Records Decision No. 495 (1988). You state that the requested tapes are tapes of grievance hearings held in executive session of the school district's Board of Trustees. Based on this representation, we conclude that the school district must withhold the tapes from disclosure under section 552.101 of the Government Code as information made confidential by section 551.104(c) of the Government Code.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented

¹The requestor is also seeking copies of all documents in his personnel file and the employment applications of several other employees. We assume that you have made these documents available to the requestor.

to us in this request and should not be relied upon as a previous determination regarding any other records. If you have any questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, reading "Karen Hattaway". The signature is written in a cursive, flowing style.

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 114382

cc: Ms. Carolyn Chapin
11 Evergreen
Round Rock, Texas 78664
(w/o enclosures)